

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA

v.

CHAD DAVID DUNAWAY (1)

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CASE NO. 6:08-CR-00074-RC

**ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

The court referred a petition alleging violations of supervised release conditions to the Honorable K. Nicole Mitchell, United States Magistrate Judge, at Tyler, Texas, for consideration pursuant to applicable laws and orders of this court. The Court received and considered the Report of the United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence.

At the close of the revocation hearing, U.S. Magistrate Judge K. Nicole Mitchell recommended:

1. that the Court find that Defendant violated a mandatory condition of release as alleged in Allegation 1 in the petition, in that he committed another federal, state or local crime;
2. that Defendant's supervised release should be revoked pursuant to 18 U.S.C. § 3583; and
3. that Defendant should be sentenced to a term of 30 months of imprisonment, to run consecutive to the sentence imposed in Case No. 6:16cr17, with no supervised release to follow.

The parties waived their right to file objections to Judge Mitchell's Report and Recommendation and Defendant waived his right to be present and allocute before being sentenced by the Court. Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore

ORDERED and **ADJUDGED** that the petition is **GRANTED** and Chad David Dunaway's supervised release is **REVOKED**.

Judgment and commitment will be entered separately, in accordance with the magistrate judge's recommendations.

So **ORDERED** and **SIGNED** this **20** day of **April, 2017**.

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, United States District Judge